

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

IN RE: TESTOSTERONE REPLACEMENT THERAPY PRODUCTS LIABILITY LITIGATION	MDL No. 2545
This Document Relates to All Cases	Master Docket Case No. 1:14-cv-01748 Honorable Matthew F. Kennelly

**PLAINTIFFS' STATUS REPORT REGARDING *LEXECON* WAIVERS FOR CMO 75
MIXED USE CASES AND CMO 87 TRIAL GROUP 1 AND 2 CASES**

Pursuant to Plaintiffs' status report for the February 1, 2018 Case Management Conference, Plaintiffs respectfully submit the following status report regarding *Lexecon* waivers for the CMO 75 mixed use cases and the CMO 87 Trial Group 1 and 2 cases. A summary chart is provided for the Court's convenience, attached hereto as Exhibit A. Plaintiffs note that there are only two plaintiffs that do not waive *Lexecon*: Mr. Ronald Johnson (16-cv-2406) and Mr. Derrick Simms (15-cv-9944), both of whom have significant travel restrictions due to medical conditions.

CMO 75 Plaintiff Ronald Johnson suffered a massive stroke in February 2013 and remains severely disabled to this day. His wife, Mrs. Donna Lima-Johnson, is his primary caretaker and takes Mr. Johnson to therapy near their home in Rhode Island several times per week. Currently, Mr. Johnson attends speech therapy twice per week and writing therapy once per week. He is presently unable to undergo physical therapy because of a recent surgery, but intends on resuming physical therapy on a regular basis as soon as his health allows. Additionally, Mrs. Donna Lima-Johnson is the sole wage earner in the family and cannot afford to travel far from her home to be with her husband at trial. Plaintiff and his counsel are committed to preparing his case for trial but intends to ask the Court to remand his case to Rhode Island at the appropriate time.

CMO 87 Wave 2 Plaintiff Derrick Simms has significant travel restrictions. Mr. Simms requires assistance with his daily living activities. He is an amputee and is cared for by a personal care aid who provides home visits seven days a week. Plaintiff and his counsel are committed to preparing his case for trial but intends to ask the Court to remand his case to Ohio at the appropriate time.

Dated: February 22, 2018

Respectfully submitted,

/s/ Trent B. Miracle

Trent B. Miracle

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CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2018, the foregoing document was filed via the Court's CM/ECF system, which will automatically serve and send email notification of such filing to all registered attorneys of record.

/s/ *Brendan A. Smith*